

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

BARNEY J. SCHOBY, II

PLAINTIFF

v.

CASE NO. 5:24-cv-108-DCB-BWR

DOUG BURGUM, Secretary of
Interior, in his official
capacity; and KATHLEEN
BOND, Superintendent of the Natchez National
Historic Park in her official capacity

DEFENDANTS

ORDER

Before the Court is a motion to dismiss Defendant Kathleen Bond, in her official capacity as the Superintendent of the Natchez National Historical Park, from this lawsuit. [ECF No. 4]. Defendants also ask in their motion that the caption of this civil action be amended to reflect that Doug Burgum, Secretary of the Interior, is the sole defendant. Id.; [ECF No. 5].

Plaintiff does not oppose Defendants' request and states in response:

After reviewing the relevant law, Plaintiff does not oppose Defendant's Motion to Dismiss claims against Kathleen Bond. ...

Plaintiff does not oppose Defendant's request to

substitute Doug Burgum, current Secretary of Interior in his official capacity for Deb Haaland former Secretary of Interior.

[ECF No. 12] ¶¶ 2, 3.

The Court agrees. The only proper party defendant in this action is the head of the Department of Interior, Secretary Doug Burgum. 42 U.S.C. § 2000e-16(c); e.g., Honeycutt v. Long, 861 F.2d 1346, 1349 (5th Cir. 1988) ("Under Title VII ... the proper defendant is 'the head of the department, agency, or unit, as appropriate.'").

The Court also agrees that, at the time this case was filed, Deb Haaland was the Secretary of the Interior and was named as a defendant. When Doug Burgum became the Secretary of the Interior, he was automatically substituted as the proper party defendant, and the case caption should reflect this substitution. Fed. R. Civ. P. 25(d).

Accordingly,

IT IS ORDERED THAT Defendants' Motion to Dismiss Kathleen Bond as a defendant in this lawsuit [ECF No. 4] is **GRANTED**, and all Plaintiff's claims against Kathleen Bond in her official capacity as the Superintendent of the Natchez National Historical Park are **DISMISSED** with prejudice; and

IT IS FURTHER ORDERED THAT the case caption in this matter shall be changed to reflect Doug Burgum, Secretary of the Interior, in his official capacity, as the named party

defendant.

SO ORDERED, this the 25th day of July 2025.

/s/ David C. Bramlette
UNITED STATES DISTRICT COURT JUDGE